

## REMARKS

This submission is in response to the Official Action dated January 11, 2005. Reconsideration of the above identified application, in view of the above amendments and the following remarks, is respectfully requested.

Claim 27 has been added. Support for this new claim is found, for example, on page 15, lines 4-7 and 9-10, of the present Specification and shown on Fig. 2. No new matter has been added. Claims 4-18 and 22-27 are presently pending. Claims 4-18 and 22-26 stand rejected.

Claims 4-15, 22-24, and 26 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,926,218 to Smith. Claims 16-18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of U.S. Patent No. 6,654,057 to Rhodes. Claim 25 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of U.S. Patent No. 5,986,764 to Nonaka. Applicants respectfully traverse these rejections, and reconsideration is respectfully requested.

The present invention is directed to an image capturing apparatus that includes a first optical system and a second optical system, each of which is independent from each other. A processing means corrects a difference in image capturing position between the first optical system and the second optical system. As shown in Fig. 2, the first optical system supplies image data at one image capturing position, e.g., light F1, to the first image capturing device and the second optical system supplies image data at another image capturing position, e.g., light F2, to the second image capturing device. The image data is supplied separately from each of the optical systems to the respective capturing devices since the two optical systems each capture an image at a different image capturing position.

The Examiner contends that Smith discloses all of the features of the present invention set forth in claims 22, 23, and 24. There are two embodiments of the Smith invention, as shown in Figs. 1 and 2.





microprocessor 52 is provided for eliminating parallax errors between the two sensors, which the Examiner contends are the *image capturing devices*, and does not disclose or suggest eliminating parallax errors between two *optical systems*, as set forth in the claims.

As stated on page 29, lines 4-6, of the present Specification, since two separate optical systems are provided in the present invention, a parallax is generated between the two optical systems. The processing means of the present invention corrects this parallax between the two optical systems.

In the present invention, two optical systems are provided for supplying image data to two image capturing devices. As stated on page 29, lines 4-6, of the present Specification, the moving image optical system and the still image optical system are separate systems and therefore, a parallax is generated between the two *optical systems*. Smith does not provide two optical systems and eliminates parallax errors between two *sensors*. Furthermore, neither Rhodes nor Nonaka disclose or suggest these elements of the claimed invention.

Applicants respectfully traverse the rejection because neither Smith, Rhodes, nor Nonaka disclose or suggest all of the elements of claims 22, 23, and 24. Claims 4-18, 25, and 26 depend on claims 22, 23, and 24, and are therefore also patentable for at least the same reasons.

Thus, Applicants respectfully submit that for at least the aforementioned reasons, claims 4-18 and 22-26 of the present invention are patentable over the prior art. Based on the foregoing, the rejections of the claims under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) should be withdrawn, and reconsideration is respectfully requested.

### **CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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